

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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ADONIS R. GRADY,

Plaintiff,

v.

Case No. 21C0923

STATE OF WISCONSIN, et al.,

Defendants.

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**MOTION TO WITHDRAW MOTION TO DISMISS BY STATE OF  
WISCONSIN AND WISCONSIN DEPARTMENT OF CORRECTIONS**

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The State Defendants moved to dismiss Grady's claims against them on the basis of sovereign immunity. In response, Grady confirmed the claim against the State of Wisconsin and Wisconsin Department of Corrections was not for liability, but only for indemnification purposes. The indemnification statute Plaintiff relies on, Wis. Stat. § 895.46, does not waive the State's sovereign immunity and does not create a private right of action for Grady to bring against the State. With Grady's confirmation that the State is only named in this lawsuit for the purpose of participating in arguments as to whether the State must indemnify Defendant Wouts, Defendants withdraw their Motion to Dismiss.

Dated April 7, 2022.

Respectfully submitted,

JOSHUA L. KAUL  
Attorney General of Wisconsin

Electronically signed by:

s/ Rebecca A. Paulson  
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